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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
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9 ARIEL RIVERA,

Case No. 2:19-cv-00961-JAD-BNW

10 Plaintiff,

ORDER

11 v.

12 JAMES DZURENDA, *et al.*,

13 Defendants.
14

15 **I. DISCUSSION**

16 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections
17 ("NDOC"), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has
18 filed an application to proceed *in forma pauperis*. (ECF No. 1, 1-1).

19 Plaintiff's application to proceed *in forma pauperis* is incomplete. Pursuant to 28
20 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to
21 proceed *in forma pauperis* and attach both an inmate account statement for the past six
22 months and a properly executed financial certificate. Plaintiff has not submitted a properly
23 executed financial certificate or an inmate account statement. (See ECF No. 1).
24 Therefore, the *in forma pauperis* application is denied without prejudice. The Court will
25 retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of
26 the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure
27 the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay
28 the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in*

1 *forma pauperis* he must file a fully complete application to proceed *in forma pauperis* with
2 the required financial documents.

3 **II. CONCLUSION**

4 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed
5 *in forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

6 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
7 approved form application to proceed *in forma pauperis* by a prisoner, as well as the
8 document entitled information and instructions for filing an *in forma pauperis* application.

9 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
10 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on
11 the correct form with complete financial attachments in compliance with 28 U.S.C. §
12 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing
13 fee and the \$50 administrative fee).

14 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
15 dismissal of this action may result.

16 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint
17 (ECF No. 1-1), but shall not file it at this time.

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19 DATED: June 12, 2019

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21 UNITED STATES MAGISTRATE JUDGE
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